IN THE HIGH COURT OF JUDICATURE AT BOMBAY

TESTAMENTARY AND INTESTATE JURISDICTION

CHAMBER SUMMONS NO.6 OF 2006

IN

SUIT NO.2 OF 1997

IN

PETITION NO.350 OF 1994

Re: Rajaram Anandrao Mhatre..Deceased

Ashalata Harishankar Mhatre alias Kandivalikar ..Plaintiff/ Petitioner.

Vs.

Krishnarao Anandrao Mhatre alias Kandivalikar ..Defendant/ Caveator.

and

Vivek Krishnarao Kandivalikar ..Applicant.

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Mr.Sharan Jagtiani i/b M.R.Gaokar for the Petitioner.

Mr.Girish Desai with Amit Shashtri and Geeta Shashtri for the Defendant.

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CORAM : DR.D.Y.CHANDRACHUD, J.

10th March, 2006.

P.C. :

Since Krishnarao Anandrao Mhatre, the original Caveator, has expired on 17th April, 2004 and in the light of the contents of paragraph 3 of the affidavit in support, an amendment has been proposed by the Plaintiff, a draft of which is tendered across the bar and was marked as 'X'. By consent, the Plaintiff is accordingly permitted to carry out the amendment in terms of the draft. Amendment to be carried out within a period of two weeks. The added Defendants would be at liberty to file their affidavit in support of the caveat within a period of four weeks of service. Service of citation upon the Applicant in the Chamber Summons, Vivek Krishnarao Kandivalikar, is disposed with.

The suit be listed for directions two weeks after the affidavits are filed.